

Docket No.: 066783-0144

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of	:	Customer Number: 41552
	:	
Koeffler, H. Phillip, et al.	:	Confirmation Number: 3623
	:	
Application No.: 10/756,890	:	Tech Center Art Unit: 1614
	:	
Filed: January 13, 2004	:	Examiner: Hughes, Alicia R.
	:	
For: PARICALCITOL AS A CHEMOTHERAPEUTIC AGENT	:	

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence is being electronically-transmitted to the United States Patent and Trademark Office on Mar 20, 2008.

/Lori Ford/

Lori Ford

NOTICE OF APPEAL
FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated September 20, 2007 of the Primary Examiner finally rejecting claims 67, 69, 70, 74, 76, 78, 80, 81, 83, 85, 87, 95-97, 101, 103, 105, 107, 108, 110, 112, and 114.

Appeal Fee: \$510.00



Charge to Deposit Account No. 502624.

10/756,890

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

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Date: March 20, 2008

**Please recognize our Customer No. 41552
as our correspondence address.**